

CHAPTER 166

DENTISTRY AND DENTAL HYGIENE

H. F. 218

AN ACT to create a state board of dentistry and to prescribe the powers and duties thereof relating to the practice of dentistry and dental hygiene and the administration of this Act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby created a state board of dentistry
2 whose duty it shall be to administer the provisions of this Act and
3 others contained in title eight (VIII) of the Code relating to the prac-
4 tice of dentistry. The board shall consist of five qualified dentists, each
5 of whom shall have been graduated from an accredited dental college,
6 shall have practiced his profession in this state not less than five years
7 immediately preceding his appointment. The present members of the
8 board now in existence shall continue in office until the expiration of
9 the term for which they were respectively appointed. The governor
10 shall annually hereafter appoint one member of said board, and shall
11 fill any vacancy in like manner for an unexpired term. The Iowa
12 Dental Association may submit a list of not less than six (6) licensed
13 dentists to the governor for his consideration in making an appoint-
14 ment to the board. Each member shall hold office for a term of five
15 years, or until the appointment and qualification of his successor. No
16 member of the dental faculty of the school of dentistry at the State
17 University of Iowa may be eligible to membership on the board.

1 SEC. 2. The board shall adopt rules and regulations for its own
2 organization and for the practice of dentistry in the state, and for
3 carrying out the provisions of this Act, and may amend, modify and
4 repeal said rules and regulations from time to time. Not less than one
5 examination each year shall be conducted by the board in Iowa City
6 at such time as near to the spring commencement of the State Univer-
7 sity of Iowa as may be practicable, the time and place thereof to be
8 fixed by the board, at which applicants to practice dentistry in this
9 state may be licensed by the board. The board shall keep a full record
10 of its proceedings and a complete registry of all duly licensed dentists
11 and dental hygienists and dental graduates to whom temporary li-
12 censes are issued, as hereinafter provided. A transcript of any entry
13 in such record or registry certified by the board shall be competent
14 evidence of the facts therein stated. Said board shall prepare and file
15 with the commissioner of public health such reports as may be re-
16 quired by the commissioner, which reports shall be open for public
17 inspection.

1 SEC. 3. Each member of the board shall receive for each day actu-
2 ally engaged in the duties of his office a per diem of twenty-five dollars.

1 SEC. 4. All moneys received by the board shall be deposited in the
2 office of the treasurer of state who shall receipt therefor and who shall
3 keep such moneys in a separate fund, which fund shall be known as the
4 board of dentistry fund. Such funds shall be continued from year to
5 year and the treasurer shall keep a separate account thereof showing
6 receipts and disbursements and any remainder in said fund in excess

7 of twenty-five thousand dollars at the end of each fiscal year shall be
8 paid into the general fund of the state.

1 SEC. 5. No person desiring to practice dentistry shall be licensed
2 until he shall have satisfactorily passed an examination by said board.
3 Every applicant for such examination shall furnish satisfactory proof
4 supported by affidavit that he is of good moral character and a gradu-
5 ate of an accredited dental college duly organized under the laws of
6 this state or any other of the United States or of any other country.
7 Said board is hereby authorized to ascertain and determine what shall
8 constitute an accredited dental college.

1 SEC. 6. Every candidate for examination shall file a written appli-
2 cation on a form prescribed by the board, shall present his license or
3 diploma for inspection, and shall pay to the board a fee of fifty dollars.
4 The applicant shall present himself before the board for examination
5 at the next regular meeting of the board after filing his application,
6 in default of which said fee may be forfeited to said board. The ex-
7 amination shall be written or oral, or both, and shall include such
8 subjects as may be designated by the board at any meeting of the
9 board held at least four months prior to such examination. The board
10 may also require such practical tests, working operations and demon-
11 strations as may be designated by the board. Any applicant who shall
12 fail to pass an examination shall have the right to apply for a subse-
13 quent examination: provided, however, that said board may for a
14 sufficient cause remit said fee for such subsequent re-examination.
15 Any person who in any affidavit or application for examination shall
16 wilfully make a false statement in a material regard shall be deemed
17 guilty of perjury and, upon conviction thereof, shall be punished as
18 provided by the laws of this state for the crime of perjury.

1 SEC. 7. The board shall issue to each person who shall successfully
2 pass the examination a license under its seal duly authenticated by the
3 signature of the chairman of the board.

1 SEC. 8. Said board shall also issue licenses to dental hygienists.
2 Every candidate for examination as a dental hygienist shall pay to the
3 secretary of the board a fee of twenty-five dollars and shall furnish
4 satisfactory proof that he or she is a graduate of an accredited high
5 school in this state, or a school of like and equal standing in any other
6 state or country, or has in earned units of study the equivalent neces-
7 sary for graduation, and has earned a diploma or certificate from an
8 accredited school of dental hygiene. The board shall ascertain and
9 determine what shall constitute an accredited school for such purpose.
10 Every applicant who shall successfully pass such examination as may
11 be prescribed by the board shall be granted a license as a dental
12 hygienist which shall be recorded in the same manner as provided in
13 section two (2) of this Act. Any applicant who shall fail to pass such
14 examination shall have the right to apply for a subsequent examina-
15 tion, in which case he or she shall pay to the board a fee of ten dollars
16 for each subsequent examination; provided, however, that said board
17 may for a sufficient cause remit said fee for such subsequent re-
18 examination.

1 SEC. 9. Every license to practice dentistry or dental hygiene shall
2 expire on the thirtieth day of June following the date of issuance of
3 such license. Application for renewal of such license shall be made in
4 writing to the board of dentistry at least sixty days prior to the ex-
5 piration of such license, accompanied by the legal fee, upon a form to
6 be prescribed by said board of dentistry in which the applicant shall
7 certify that he has not during the term of the license which he then
8 holds or the last renewal thereof violated any of the provisions of this
9 Act or committed any of the acts of unprofessional conduct, naming
10 them, as defined in this title.

1 SEC. 10. Every year the board of dentistry shall notify each licen-
2 see by mail of the expiration of his license and, subject to the provi-
3 sions of this Act, the same shall be renewed upon application being
4 made, without examination.

1 SEC. 11. On or before the thirtieth day of April of each year here-
2 after, excepting the year in which he is originally licensed, each regis-
3 tered dentist shall pay to the board such fee as may be fixed by the
4 board, which fee shall be not less than ten dollars, nor more than
5 twenty dollars, as an annual license fee and a dentist registered in but
6 not practicing in Iowa shall pay five dollars as an annual license fee;
7 and each registered dental hygienist shall pay to the board five dollars
8 as an annual license fee. The board may revoke or suspend the license
9 of any person who fails to pay the fee on or before April thirtieth, but
10 revocation or suspension shall not be ordered except after thirty days
11 written notice of the delinquency by registered mail to the last known
12 address of the person, during which period the person may pay the fee,
13 together with such penalty, not exceeding five dollars, as may be deter-
14 mined by the board. If any license is revoked or suspended, the same
15 may be reissued or reinstated upon the payment of the accrued fees
16 and such penalties, not exceeding ten dollars, as may be determined
17 by the board.

1 SEC. 12. The state board of dentistry and all persons employed to
2 administer this Act shall be included within the state department of
3 health. The funds to administer this Act shall be included in the bud-
4 get of the department of health and included in such department's
5 appropriation, except that such funds shall be appropriated from the
6 board of dentistry fund. The board shall fix the renewal license fee
7 for a license to practice dentistry within the limits prescribed in sec-
8 tion eleven (11) of this Act. On fixing the annual license fee as herein
9 provided, the board shall immediately notify all registered dental licen-
10 sees of the amount of said fee for the ensuing year. Upon payment
11 thereof by the licensee on or before April thirtieth the board shall issue
12 a renewal license authorizing such licensee to continue the practice of
13 dentistry in this state for a period of one year. Any license granted
14 under authority of this or any prior dental act of this state shall auto-
15 matically be cancelled if the holder thereof fails to secure the renewal
16 license herein provided for, within a period of thirty days from the
17 thirtieth day of April of each year. Any dentist whose license shall be
18 cancelled as herein provided may be reinstated by the board at any
19 time within six months from the date of the automatic cancellation of
20 said license, upon payment of the annual license fee so fixed by the

21 board and a penalty fee of ten dollars, and the board may require that
22 the dentist take the examination provided for in this Act. Upon fail-
23 ure of any licensee to pay the annual license fee on or before April
24 thirtieth, the board shall notify such licensee, in writing, by mailing
25 notice to his last address shown on the records of the board. Failure
26 to mail or receive such notice, however, shall not affect the cancella-
27 tion of his license.

1 SEC. 13. For the purpose of this title the following classes of per-
2 sons shall be deemed to be engaged in the practice of dentistry:

3 1. Persons publicly professing to be dentists, dental surgeons, or
4 skilled in the science of dentistry, or publicly professing to assume the
5 duties incident to the practice of dentistry.

6 2. Persons who treat, or attempt to correct by any medicine, appli-
7 ance, or method, any disorder, lesion, injury, deformity, or defect of
8 the oral cavity, teeth, gums, or maxillary bones of the human being,
9 or give prophylactic treatment to any of said organs.

1 SEC. 14. Section thirteen (13) of this Act shall not be construed
2 to include the following classes:

3 1. Students of dentistry who practice dentistry upon patients at
4 clinics in connection with their regular course of instruction at the
5 state dental college.

6 2. Licensed "physicians and surgeons" or licensed "osteopaths and
7 surgeons" who extract teeth or treat diseases of the oral cavity, gums,
8 teeth, or maxillary bones as an incident to the general practice of their
9 profession.

10 3. Persons licensed to practice dental hygiene who are exclusively
11 engaged in the practice of said profession.

1 SEC. 15. A licensed dental hygienist may perform those services
2 which are education, therapeutic, and preventive in nature which at-
3 tain or maintain optimal oral health as determined by the board of
4 dentistry and may include but are not necessarily limited to complete
5 oral prophylaxis, application of preventive agents to oral structures,
6 exposure and processing of radiographs, administration of medica-
7 ments prescribed by a licensed dentist, obtaining and preparing non-
8 surgical, clinical and oral diagnostic tests for interpretation by the
9 dentist, preparation of preliminary written records of oral conditions
10 for interpretation by the dentist. Such services shall be performed
11 under supervision of a licensed dentist and in a dental office, a public
12 or private school, public health agencies, hospitals, and the armed
13 forces, but nothing herein shall be construed to authorize a dental
14 hygienist to practice dentistry.

1 SEC. 16. Every person who owns, operates, or controls a dental
2 office in which anyone other than himself is practicing dentistry shall
3 display the name of such person in a conspicuous manner at the public
4 entrance to said office.

1 SEC. 17. Except as herein otherwise provided, it shall be unlawful
2 for any person to practice dentistry or dental surgery or dental hygiene
3 in this state, other than:

4 1. Those who are now duly licensed dentists, under the laws of this
5 state in force at the time of their licensure; and

6 2. Those who are now duly licensed dental hygienists under the laws
7 of this state in force at the time of their licensure; and

8 3. Those who may hereafter be duly licensed as dentists or dental
9 hygienists pursuant to the provisions of this Act.

1 SEC. 18. No person owning or conducting any place where dental
2 work of any kind is done or contracted for, shall employ or permit any
3 unlicensed dentist to practice dentistry in said place.

1 SEC. 19. No person shall operate any place in which dentistry is
2 practiced under any other name than his own, or display, in connection
3 with his practice, on any advertising matter any other than his own
4 name; but two or more licensed dentists who are associated in the
5 practice shall use all of their names, and a widow, heir, or any legal
6 representative of a deceased dentist, may operate such office for a
7 reasonable time for the purpose of disposing of the same.

1 SEC. 20. A dentist shall have the right to prescribe and administer
2 drugs or medicine, perform such surgical operations, administer gen-
3 eral or local anaesthetics and use such appliances as may be necessary
4 to the proper practice of dentistry.

1 SEC. 21. The board may issue a license without examination to an
2 applicant who is a citizen of the United States or who has officially
3 declared his intention to become such and who furnishes satisfactory
4 proof that he is a graduate from an accredited dental school or college
5 of a state, territory or district of the United States, who holds a license
6 from a similar dental board under equal or substantially equal require-
7 ments to those of this state, and who for five consecutive years im-
8 mediately prior to the filing of his application in this state has been
9 in a legal and reputable practice of dentistry in such other state, ter-
10 ritory or district of the United States, and who furnishes such other
11 evidence as to his qualifications and lawful practice as the board may
12 deem necessary to require. No license shall be issued under this sec-
13 tion unless the state, territory or district from which the applicant
14 comes shall accord equal rights to dentists of Iowa holding a license
15 from the state board of dentistry.

1 SEC. 22. Any dentist, who is a graduate of an accredited dental
2 school and is serving only as a resident, interne or graduate student
3 dentist and who is not licensed to practice dentistry in this state, shall
4 be required to obtain from the board of dentistry a temporary or
5 special license to practice as a resident, interne or graduate dentist.
6 The license shall be designated "Resident Dentist License" and shall
7 authorize the licensee to serve as a resident, interne or graduate stu-
8 dent only, under the supervision of a licensed practitioner of dentistry,
9 in an institution approved for this purpose by the board. Such license
10 shall be valid for one year and may be annually renewed at the discre-
11 tion of the board for a period not to exceed three additional years.
12 The fee for this license shall be ten dollars, and if extended beyond
13 one year, an annual renewal fee of ten dollars per year shall be re-
14 quired. The board shall determine in each instance those eligible for
15 this license, whether or not examinations shall be given, and the type
16 of examination. No requirements of the law pertaining to regular
17 permanent licensure shall be mandatory for this resident licensure

18 except as specifically designated by the board. The granting of a resi-
19 dent dentist's license does not in any way indicate that the person so
20 licensed is necessarily eligible for regular licensure, nor is the board
21 in any way obligated to so license such individual. The board may
22 revoke said license at any time it shall determine either that the cali-
23 ber of work done by a licensee or the type of supervision being given
24 such licensee does not conform to reasonable standards established by
25 the board.

1 SEC. 23. If, prior to the renewal of any license to practice den-
2 tistry or dental hygiene, the board is informed upon oath or affirma-
3 tion lawfully administered, that any such applicant has during the
4 term of his last license or the last renewal thereof violated any of the
5 provisions of this Act or committed any of the acts of unprofessional
6 conduct as defined in this Act, or if any member of the board certifies
7 in writing that he is credibly informed that such violation of law or
8 act of unprofessional conduct has been so committed by such applicant,
9 then the board shall notify such applicant, by certified letter, with
10 postage prepaid, mailed to his address as shown by the records of said
11 board that such information or certificate has come to the attention
12 of the board, and that on a day and hour specified the applicant may
13 appear before the board at such place stated in such notice and show
14 cause why said license should be renewed. In such event the renewal
15 of such license shall not be made prior to the date so fixed and the
16 making of such a showing by the applicant.

1 SEC. 24. The time and place of such hearing before the board shall
2 be open to public inspection at all reasonable hours.

1 SEC. 25. At such hearing, which shall be confidential unless the
2 applicant requests it be a public one, any person having knowledge of
3 the facts pertaining to the propriety of the renewal of such license
4 may testify thereto, and the chairman of the board is hereby empow-
5 ered to and shall administer oaths to all such persons offering testi-
6 mony.

1 SEC. 26. If at said hearing, or upon appeal if taken as hereinafter
2 provided, it shall be established that the applicant has theretofore
3 failed to comply with all of the provisions of this Act or has during
4 the term of his license or the last renewal thereof committed any of
5 the acts of unprofessional conduct as defined in this Act, then the
6 board shall reject such application and said license shall not be re-
7 newed except as hereinafter provided.

1 SEC. 27. The minutes of all evidence heard by the said board or
2 exhibits introduced at said hearing for or against the granting of said
3 application for license, together with the order of the board granting
4 or rejecting such application for renewal of license, which shall be in
5 writing, shall be and become a part of the records of said board and
6 shall be open to public inspection at all reasonable hours. Written
7 notice of said order shall forthwith be mailed to the applicant by the
8 board.

1 SEC. 28. If the board should reject any such application, and re-
2 fuse to renew any such license, the applicant may, within thirty days

3 after the order of the board, and not afterward, obtain a review of the
4 action of the board by a writ of certiorari to the district court in the
5 county where such applicant resides in which court the hearing shall
6 be de novo and all competent evidence pertaining to the action of the
7 board may be submitted, including new evidence not submitted to the
8 board.

1 SEC. 29. The order of the board rejecting such application, and
2 refusing to renew such license, shall remain in force and effect until
3 such writ of certiorari is finally determined and disposed of upon the
4 merits and no new or temporary license shall be issued to the applicant
5 pending such disposition.

1 SEC. 30. Any former licensee whose application for renewal of
2 license has been rejected by the board and who has not successfully
3 prosecuted a review by certiorari therefrom as herein provided shall
4 not thereafter receive such license or renewal thereof unless same shall
5 be granted by the board and upon payment of the renewal fees then
6 due. Said board may require examination of the former licensee, in
7 which case he shall pay the examination fees provided by law.

1 SEC. 31. A license to practice either dentistry or dental hygiene
2 shall be revoked or suspended in the manner and upon the grounds
3 elsewhere provided in this Act, and also when the certificate accom-
4 panying the application of such licensee for renewal of license filed
5 with the board is not in all material respects true.

1 SEC. 32. As to dentists and dental hygienists "unprofessional con-
2 duct" shall consist of any of the acts denominated as such elsewhere in
3 this Act, and also any other of the following acts:

4 1. All advertising of any kind or character other than the carrying
5 or publishing of a professional card or the display of a window sign
6 at the licensee's place of business; which professional card or window
7 sign shall display only the name, address, profession, office hours and
8 telephone connections of the licensee.

9 2. Exploiting or advertising through the press, on the radio, on
10 television, or by the use of handbills, circulars or periodicals, other
11 than professional cards stating only the name, address, profession,
12 office hours, and telephone connections of the licensee.

13 3. Employing or making use of advertising solicitors or publicity
14 agents or soliciting employment personally or by representative.

15 4. Employing any person to obtain, contract for, sell or solicit pa-
16 tronage, or make use of free publicity press agents.

17 5. Receiving any rebate, or other thing of value, directly or indi-
18 rectly from any dental laboratory or dental technician.

19 6. Solicitation of professional patronage by agents or persons popu-
20 larly known as "cappers" or "steerers", or profiting by the acts of
21 those representing themselves to be agents of the licensee.

22 7. Receipt of fees on the assurance that a manifestly incurable dis-
23 ease can be permanently cured.

24 8. Division of fees or agreeing to split or divide the fees received
25 for professional services with any person for bringing or referring a
26 patient or assisting in the care or treatment of a patient without the
27 consent of said patient or his legal representative.

28 9. Willful neglect of a patient in a critical condition.

- 1 SEC. 33. Subject to the the* provisions of this Act, any provision
2 of title eight (8) of the Code to the contrary notwithstanding, the
3 board shall exercise the following powers:
- 4 1. To initiate investigations of and conduct hearings on all matters
5 or complaints relating to the practice of dentistry or dental hygiene or
6 pertaining to the enforcement of any provision of this Act, to revoke
7 or suspend licenses or the renewal thereof issued under this or any
8 prior Act, and to otherwise discipline licensees.
- 9 2. All employees needed to administer this Act shall be appointed
10 pursuant to the merit system.
- 11 3. To initiate in its own name or cause to be initiated in a proper
12 court appropriate civil proceedings against any person to enforce the
13 provisions of this Act or title eight (8) of the Code relating to the
14 practice of dentistry, and the board may have the benefit of counsel in
15 connection therewith. Any such judicial proceeding as may be initi-
16 ated by the board shall be commenced and prosecuted in the same
17 manner as any other civil action and injunctive relief may be granted
18 therein without proof of actual damage sustained by any person but
19 such injunctive relief shall not relieve the person so enjoined from
20 criminal prosecution by the attorney general or county attorney for
21 violation of any provision of this Act or title eight (8) of the Code
22 relating to the practice of dentistry.
- 23 4. In any investigation made or hearing conducted by the board on
24 its own motion, or upon written complaint filed with the board by any
25 person, pertaining to any alleged violation of this Act or the accusa-
26 tion against any licensee, the following procedure and rules so far as
27 material to such investigation or hearing shall obtain:
- 28 a. The accusation of such person against any licensee shall be re-
29 duced to writing, verified by some person familiar with the facts there-
30 in stated, and three copies thereof filed with the board.
- 31 b. If the board shall deem the charges sufficient, if true, to warrant
32 suspension or revocation of license, it shall make an order fixing the
33 time and place for hearing thereon and requiring the licensee to appear
34 and answer thereto, such order, together with a copy of the charges so
35 made to be served upon the accused at least twenty days before the
36 date fixed for hearing, either personally or by certified or registered
37 mail, sent to his last known post office address as shown by the records
38 of the board.
- 39 c. At the time and place fixed in said notice for said hearing, or at
40 any time and place to which the said hearing shall be adjourned, the
41 board shall hear the matter and may take evidence, administer oaths,
42 take the deposition of witnesses, including the person accused, in the
43 manner provided by law in civil cases, compel the appearance of wit-
44 nesses before it in person the same as in civil cases by subpoena issued
45 over the signature of the chairman of the board and in the name of the
46 state of Iowa, require answers to interrogatories and compel the pro-
47 duction of books, papers, accounts, documents and testimony pertain-
48 ing to the matter under investigation or relating to the hearing.
- 49 d. In all such investigations and hearings pertaining to the suspen-
50 sion or revocation of licenses, the board and any person affected there-
51 by may have the benefit of counsel, and upon the request of the licensee

*According to enrolled Act.

or his counsel the board shall issue subpoenas for the attendance of such witnesses in behalf of the licensee, which subpoenas when issued shall be delivered to the licensee or his counsel. Such subpoenas for the attendance of witnesses shall be effective if served upon the person named therein anywhere within this state, provided, that at the time of such service the fees now or hereafter provided by law for witnesses in civil cases in district court shall be paid or tendered to such person.

e. In case of disobedience of a subpoena lawfully served hereunder, the board or any party to such hearing aggrieved thereby may invoke the aid of the district court in the county where such hearing is being conducted to require the attendance and testimony of such witnesses. Such district court of the county within which the hearing is being conducted may, in case of contumacy or refusal to obey such subpoena, issue an order requiring such person to appear before said board, and if so ordered give evidence touching the matter involved in the hearing. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

f. If the licensee pleads guilty, or after hearing he shall be found guilty by the board of any of the charges made, it may suspend for a limited period or revoke the license and the last renewal thereof, and shall enter the order on its records and notify the accused of the revocation or suspension of his license, as the case may be, who shall thereupon forthwith surrender his license to the board. Any such person whose license has been so revoked or suspended shall not thereafter and while such revocation or suspension is in force and effect practice dentistry or dental hygiene within this state.

g. The findings of fact made by the board acting within its power shall, in the absence of fraud, be conclusive, but the district court shall have power to review questions of law involved in any final decision or determination of the board; provided, that application is made by the aggrieved party within thirty days after such determination by certiorari, mandamus or such other method of review or appeal permitted under the laws of this state, and to make such further orders in respect thereto as justice may require.

h. Pending the review and final disposition thereof by the district court, the action of the board suspending or revoking such license shall not be stayed.

SEC. 34. The board shall suspend for a limited period or revoke the license and the last renewal thereof of any licensed dentist or any licensed dental hygienist for any of the following reasons:

1. For fraud or deceit in procuring his license or the renewal thereof to practice dentistry or dental hygiene.

2. His conviction of a felony or of a misdemeanor involving moral turpitude, in either of which cases a certified copy of the court record where such conviction appears shall be conclusive evidence, upon receipt of which the board shall revoke or suspend the license of the person so convicted.

3. For habitually using drugs or intoxicants to the extent of rendering him unfit for the practice of dentistry or dental hygiene, or for gross immorality.

4. For being guilty of willful and gross malpractice or willful and gross neglect in the practice of dentistry or dental hygiene.

16 5. For conducting the practice of dentistry so as to permit directly
17 or indirectly an unlicensed person to perform work which under this
18 Act can legally be done only by persons licensed to practice dentistry
19 or dental hygiene in this state.

20 6. For employing solicitors or cappers for the purpose of procuring
21 patients for dental work to be done.

22 7. For fraud in representation as to skill or ability.

23 8. For distribution of intoxicating liquors or drugs for any other
24 than lawful purposes.

25 9. For willful or repeated violations of this Act, title eight (8) of
26 the Code, or the rules of the state board of dentistry.

27 10. For continuing practice while knowingly having an infectious or
28 contagious disease.

29 11. For obtaining any fee by fraud or misrepresentation.

30 12. For having failed to pay license fees as provided herein.

31 13. For being guilty of dishonorable or unprofessional conduct in
32 the practice of dentistry or dental hygiene.

33 14. For the use of the name "clinic", "institute", or other title of
34 similar import that may suggest a public or semipublic activity to
35 designate what is in fact an individual or group private practice.

36 15. For failure to maintain a reasonably satisfactory standard of
37 competency in the practice of dentistry or dental hygiene.

38 16. For a violation of any provision of this Act, or for being a party
39 to or assisting in any violation of any provision of this Act.

1 SEC. 35. This Act shall be deemed to be passed in the interest of
2 the public health, safety and welfare of the people of this state, and
3 its provisions shall be liberally construed to carry out its object and
4 purposes.

1 SEC. 36. Chapter one hundred fifty-three (153), Code 1966, is
2 hereby repealed and sections one hundred forty-seven point one
3 (147.1) through one hundred forty-seven point sixteen (147.16), one
4 hundred forty-seven point eighteen (147.18) through one hundred
5 forty-seven point twenty-six (147.26), one hundred forty-seven point
6 twenty-nine (147.29) through one hundred forty-seven point thirty-
7 two (147.32), one hundred forty-seven point thirty-four (147.34)
8 through one hundred forty-seven point seventy-one (147.71), one hun-
9 dred forty-seven point eighty (147.80), subsections one (1), five (5),
10 seven (7), eight (8), fifteen (15), and sixteen (16), one hundred
11 forty-seven point eighty-one (147.81) and one hundred forty-seven
12 point eighty-two (147.82), one hundred forty-seven point eighty-seven
13 (147.87) through one hundred forty-seven point ninety-two (147.92),
14 one hundred forty-seven point one hundred four (147.104), one hun-
15 dred forty-seven point one hundred fourteen (147.114), and one hun-
16 dred forty-seven point one hundred fifteen (147.115), Code 1966, shall
17 not apply to the practice of dentistry.

1 SEC. 37. This Act is declared to be severable, and should any word,
2 phrase, sentence, provision or section hereof be declared unconstitu-
3 tional or otherwise invalid by a court of competent jurisdiction, the
4 remainder of this Act shall not thereby be affected but shall remain in

5 full force and as valid as if such word, phrase, sentence, provision or
6 section had not been incorporated herein.

Approved June 30, 1967.

CHAPTER 167

PHARMACY

H. F. 224

AN ACT relating to pharmacy.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred fifty-five point one (155.1), Code
2 1966, is hereby amended by striking from line three (3) of subsection
3 one (1) the words "at retail".

1 SEC. 2. Section one hundred fifty-five point three (155.3), Code
2 1966, is hereby amended as follows:

3 1. By striking subsection two (2) of such section and inserting in
4 lieu thereof the following:

5 " 'Pharmacy' means every store or other place of business where
6 prescription drugs are compounded, dispensed, or sold by a pharmacist
7 and where prescription orders for prescription drugs are received or
8 processed in accordance with the pharmacy laws."

9 2. By striking from line eight (8) of subsection five (5) of such sec-
10 tion the words "retailer for resale" and inserting in lieu thereof the
11 word "pharmacy".

12 3. By striking lines one (1) through five (5) of subsection six (6)
13 of such section and inserting in lieu thereof the following:

14 "The term 'wholesale salesman' includes any individual who takes a
15 purchase order from a pharmacy in this state for any prescription
16 drug, medicinal chemical, medicines or poisons."

17 4. By striking subsection nine (9) of such section and inserting in
18 lieu thereof the following:

19 " 'Prescription' means a written order, or an oral order later re-
20 duced to writing, of a medical practitioner for a prescription drug or
21 medicine."

22 5. By adding thereto the following new subsection:

23 " 'Medical practitioner' means a physician, dentist, veterinarian, or
24 any other person authorized by law to treat sick and injured humans
25 or animals and to use prescription drugs in such treatment."

1 SEC. 3. Section one hundred fifty-five point ten (155.10), Code
2 1966, is hereby amended by striking from line four (4) the word
3 "retail".

1 SEC. 4. Section one hundred fifty-five point twelve (155.12), Code
2 1966, is hereby amended as follows:

3 1. By inserting in line six (6) after the word "by" the words "the
4 pharmacist-".

5 2. By striking from line eleven (11) the word "retail".